

ELECTRONICALLY FILED

May 4, 2007

STUTMAN, TREISTER & GLATT, P.C.
 FRANK A. MEROLA
 (CA State Bar No. 136934)
 EVE H. KARASIK
 (CA State Bar No. 155356)
 ANDREW M. PARLEN
 (CA State Bar No. 230429), Members of
 1901 Avenue of the Stars, 12th Floor
 Los Angeles, California 90067
 Telephone: (310) 228-5600
 Facsimile: (310) 228-5788
 Email: fmerola@stutman.com
ekarasik@stutman.com
aparen@stutman.com

SHEA & CARLYON, LTD.
 JAMES PATRICK SHEA
 (Nevada State Bar No. 000405)
 CANDACE C. CARLYON
 (Nevada State Bar No. 002666)
 SHLOMO S. SHERMAN
 (Nevada State Bar No. 009688)
 228 South Fourth Street, First Floor
 Las Vegas, Nevada 89101
 Telephone: (702) 471-7432
 Facsimile: (702) 471-7435
 Email: jshea@sheacarlyon.com
ccarlyon@sheacarlyon.com
ssherman@sheacarlyon.com

Counsel for the Official Committee Of
 Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:	)	BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10729-LBR
USA SECURITIES, LLC,	)	Chapter 11
Debtor.)	

Affects

- ☐ All Debtors
☒ USA Commercial Mortgage Co.
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed
☒ USA First Trust Deed Fund, LLC

Hearing

Date: May 31, 2007
 Time: 9:30 a.m.
 Place: Courtroom #1

**NOTICE OF FILING OF AND HEARING ON MOTION FOR ORDER PURSUANT TO
 BANKRUPTCY CODE SECTIONS 1141 AND 1142 TO ENFORCE CONFIRMED
 DEBTORS' THIRD AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION AS
 IT RELATES TO ALLOCATION OF SALE PROCEEDS (AFFECTS DEBTORS USA
 COMMERCIAL MORTGAGE COMPANY AND USA CAPITAL FIRST TRUST DEED
 FUND, LLC)**

1 **PLEASE TAKE NOTICE** that on May 4, 2007, the "Motion For Order Approving
2 Stipulation Between The USACM Liquidating Trust And USA Capital First Trust Deed Fund,
3 LLC On Overbid Allocation And Plan Compromise Pursuant To Federal Rule Of Bankruptcy
4 Procedure 9019(A)" (the "Motion") was filed by the Official Committee of Equity Security
5 Holders of USA Capital First Trust Deed Fund, LLC (the "FTDF Committee") and the USACM
6 Liquidating Trust (the "Trust"). Pursuant to the Motion, the FTDF Committee and the Trust
7 request that the Court enter an order approving the "Stipulation Between USACM Liquidating
8 Trust and USA Capital First Trust Deed Fund, LLC On Overbid Allocation and Plan Compromise"
9 (the "Stipulation") pursuant to Federal Rule of Bankruptcy Procedure 9019(a). A true and correct
10 copy of the Stipulation is annexed as Exhibit "A" to the Motion.
11
12

13 **PLEASE TAKE FURTHER NOTICE** that the hearing on the Motion will be held
14 before the Honorable Linda B. Riegler, United States Bankruptcy Judge, in the Foley Federal
15 Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on May 31, 2007,
16 at the hour of 9:30 a.m.

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **PLEASE TAKE FURTHER NOTICE** that any response to the Objection must be
2 served on the undersigned counsel and filed by **May 22, 2007** pursuant to Local Rule 9014(d)(1),
3 which provides that oppositions to a motion must be filed and service must be completed on the
4 movant no later than 15 days after the motion is served.

5
6 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading
7 with the court. You *must* also serve your written response on the person who sent you this
8 notice.

9 If you do not file a written response with the court, or if you do not serve your written
10 response on the person who sent you this notice, then:

11 ! The court may *refuse to allow you to speak* at the scheduled hearing; and

12 ! The court may *rule against you* without formally calling the matter at the hearing.

13
14 DATED: May 4, 2007

STUTMAN, TREISTER & GLATT, P.C.

15
16 /s/ Andrew M. Parlen

FRANK A. MEROLA

EVE H. KARASIK

ANDREW M. PARLEN

1901 Avenue of the Stars, 12th Floor

Los Angeles, CA 90067

Telephone: (310) 228-5600

and

CANDACE C. CARLYON

SHLOMO S. SHERMAN

Shea & Carlyon, Ltd.

233 S. Fourth Street, Suite 200

Las Vegas, NV 89101

Telephone: (702) 471-7432

*Counsel for the Official Committee of Equity
Security Holders of USA Capital First Trust Deed
Fund, LLC*